

**O'MELVENY & MYERS LLP**

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**CLOSED**

April 12, 2001

Lois G. Lerner, Esq.  
Acting General Counsel  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: **MUR 5033**

Dear Ms. Lerner:

On behalf of the Alexander for President 1996 Committee ("Committee") which was terminated on May 7, 1999 and its former Treasurer, Mr. Todd Eardensohn, we write to respectfully request that the Federal Election Commission ("FEC") not place the MUR 5033 file in the public record until this investigation is properly closed.

On March 26, 2001, we first learned that the Committee was a respondent to MUR 5033, three days after the FEC decided to close the investigation. Therefore, the Committee was not allowed to exercise its statutory right to respond to the investigation. Late in the week of March 26, 2001, John Donoghue of our Washington office made an oral request to Dawn R. Jackson that the FEC reopen MUR 5033 in order to allow the Committee to exercise its statutory right to respond. After checking with her superiors, Ms. Jackson informed Mr. Donoghue that the FEC would not reopen the matter and would place the MUR 5033 file in the FEC's public record in the near future.

Therefore, we are left with no recourse but to formally request that the Commission reopen MUR 5033. A formal request will be filed with the Commission later this week. Until that request is addressed, we respectfully request that the Office of General Counsel not place the MUR 5033 file in the public record.

OUR FILE NUMBER

013-017-004

WRITER'S DIRECT DIAL

202-383-5220

WRITER'S E-MAIL ADDRESS

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RECEIVED  
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5151-504-4012

Your attention in this matter is greatly appreciated. Please do not hesitate to contact me at (202) 383-5220 or John Donoghue at (202) 383-5329 if you should have any questions regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Suzanne Rich Folsom", with a long horizontal flourish extending to the right.

Suzanne Rich Folsom  
for O'MELVENY & MYERS LLP

cc: Dawn R. Jackson, Esq.

21-04-405-1516